

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

LILIAN FARANSO,

Plaintiff,

v.

DOLLAR TREE STORES, INC.,

Defendant.

Case No. 2:22-cv-10181

HONORABLE STEPHEN J. MURPHY, III

_____/

ORDER SETTING ZOOM STATUS CONFERENCE

The parties informed the Court's chambers that they engaged in mediation with Mr. Doug Dempsey. Although the parties did not resolve the case, they noted that they are in continued settlement negotiations. Discovery is closed, and no party filed a dispositive motion. *See* ECF 17. The mediation with Mr. Dempsey was the parties' second attempt, employing a second mediator, to resolve the issues. ECF 17; 19. Because two good-faith efforts, with proficient federal mediators, to resolve the case have failed, all that remains to dispose of the case is a jury trial. ECF 6; 17 (scheduling orders).

The Court's staff recently requested the district's Jury Department to schedule a jury trial for the present matter. But the Jury Department cannot schedule a trial for the action until September 2023 at the earliest. Even then, the Court cannot set a firm date given the severe backlog of civil and criminal trials pending on the Court's docket. *See e.g., Maisano v. Sterling Heights Dodge, Inc.*, No. 2:18-cv-10702, 2022 WL 446741, at *1 n.1 (E.D. Mich. Feb. 14, 2022) (Murphy, J.). In short, the litigation will

not advance in any way for months. The Court will therefore order the parties and their counsel to appear for a Zoom status conference. The Zoom status conference will be set for January 18, 2023 at 11:30 a.m. Zoom Hearing instructions are at the bottom of this order for your reference.

WHEREFORE, it is hereby **ORDERED** that the parties and their counsel must **APPEAR** by Zoom for a status conference.

IT IS FURTHER ORDERED that the status conference is **SET** for **January 18, 2023 at 11:30 a.m.**

SO ORDERED.

s/ Stephen J. Murphy, III
STEPHEN J. MURPHY, III
United States District Judge

Dated: January 11, 2023

I hereby certify that a copy of the foregoing document was served upon the parties and/or counsel of record on January 11, 2023, by electronic and/or ordinary mail.

s/ David P. Parker
Case Manager

**VIRTUAL HEARING PROTOCOL FOR MATTERS
BEFORE THE HONORABLE STEPHEN J. MURPHY, III**

- 1) Your matter will be conducted via Zoom. A short tutorial on Zoom technology accompanies this memo. Your meeting ID is 709-286-6126 and the password will be emailed to parties on the day of the conference. Counsel appearing for Rule 16 conferences, final pretrial conferences, and motion hearings must participate by video.
- 2) Please send any written materials you may reference during your hearing to opposing counsel and Judge Murphy's chambers at least 48 hours before the scheduled hearing. Please send all documents in PDF format to efile_murphy@mied.uscourts.gov.
- 3) Counsel should join the Zoom meeting five minutes before the scheduled start time to ensure all video and audio technology is working properly. Best practice is to test technology (webcams, microphones, internet connection, etc.) prior to the hearing.
- 4) If a party must be present for a Zoom hearing, counsel of record must arrange for it by providing log in information.
- 5) Business casual attire is appropriate for all Zoom hearings before Judge Murphy.

**ZOOM MEETING TUTORIAL
FOR HEARINGS AND CONFERENCES
BEFORE THE HONORABLE STEPHEN J. MURPHY, III**

Judge Murphy has decided to conduct certain hearings and conferences via Zoom Meetings. This guide is meant to instruct you on how to attend your Zoom hearing. Please note that if you are attending a status call you need not appear via video on Zoom. Simply follow step two of the virtual hearing protocol memo that accompanies this tutorial.

- 1) You will first need to visit the Zoom home page using this link:
<https://zoom.us/>.
- 2) Then you must click “join” in the upper right-hand corner of the Zoom home page (depicted below).
- 3) Once you click “join,” you will be asked to enter a “Meeting ID Code.” The “Meeting ID Code” is 709-286-6126
- 4) You will then be asked to enter a password. The password will be emailed to the parties on the day of the conference.
- 5) Once you enter your password your webcam should activate, and you must select “Join with Video” (depicted below) to join the hearing.
- 6) A pop up will then ask you to “Join Audio.” Please click “Join with Computer Audio” (depicted below).
- 7) You are now in the Zoom meeting and ready for your hearing.
- 8) When your hearing concludes, you may click “Leave Meeting” in the bottom right corner of your screen (depicted below) to conclude your Zoom session. Judge Murphy thanks you for your willingness to participate in your hearing via Zoom.